UNITED NATIONS

A

General Assembly

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A/RES/51/78
25 February 1997

Fifty-first session
Agenda item 107

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Third Committee (A/51/616)]

51/78. International Decade of the World's Indigenous People

The General Assembly,

Bearing in mind that one of the purposes of the United Nations, as set forth in the Charter, is the achievement of international cooperation in solving international problems of an economic, social, cultural or humanitarian character and in promoting and encouraging respect for human rights and fundamental freedoms for all without distinction as to race, sex, language or religion,

Recalling its previous resolutions on the International Decade of the World's Indigenous People, as well as those of the Commission on Human Rights,

Recalling also that the goal of the Decade is to strengthen international cooperation for the solution of problems faced by indigenous people in such areas as human rights, the environment, development, education and health and that the theme of the Decade is "Indigenous people: partnership in action",

Recognizing the importance of consultation and cooperation with indigenous people in planning and implementing the programme of activities for the International Decade of the World's Indigenous People,[1] the need for adequate financial support from the international community, including support from within the United Nations and the specialized agencies, and the need for adequate coordination and communication channels,

[1] Resolution 50/157, annex.

Recalling Economic and Social Council decision 1992/255 of 20 July 1992, in which the Council requested United Nations bodies and specialized agencies to ensure that all technical assistance financed or provided by them was compatible with international instruments and standards applicable to indigenous people and encouraged efforts to promote coordination in this field and greater participation of indigenous people in the planning and implementation of projects affecting them,

Recalling its resolution 50/156 of 21 December 1995,

1. Affirms its conviction of the value and diversity of the cultures and forms of social organization of indigenous people and that the development of indigenous people within their countries will contribute to the socio-economic, cultural and environmental advancement of all the countries of the world;

2. Notes that the programme of activities for the International Decade of the World's Indigenous People may be reviewed and updated throughout the Decade and that at the mid-point of the Decade the Economic and Social Council and the General Assembly should review the results of the activities in order to identify obstacles to the achievement of the goals of the Decade and to recommend solutions for overcoming those obstacles;

3. Takes note of the report of the Secretary-General on the implementation of the programme of activities for the Decade;[2]

4. Welcomes the resolve of the United Nations High Commissioner for Human Rights to strengthen efforts to achieve the goals of the programme of activities for the Decade;

5. Reaffirms the adoption of a declaration on the rights of indigenous people as a major objective of the Decade, and notes that there have been two sessions of the open-ended inter-sessional working group of the Commission on Human Rights established pursuant to Commission resolution 1995/32 of 3 March 1995[3] with the sole purpose of elaborating a draft declaration, considering the draft United Nations declaration on the rights of indigenous peoples annexed to resolution 1994/45 of 26 August 1994 of the Subcommission on Prevention of Discrimination and Protection of Minorities;[4]

6. Underlines the importance of effective participation by indigenous representatives in the working group, and encourages organizations of indigenous people that are not already registered to participate and wish to do so to apply for authorization in accordance with the procedure set out in the annex to Commission on Human Rights resolution 1995/32;

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[2] A/51/499.

[3] Official Records of the Economic and Social Council, 1995, Supplement No. 3 and corrigenda (E/1995/23 and Corr.1 and 2), chap. II, sect. A.

[4] See E/CN.4/1995/2-E/CN.4/Sub.2/1994/56, chap. II, sect. A.

7. Welcomes the report of the Secretary-General on the existing mechanisms, procedures and programmes within the United Nations concerning indigenous people,[5] and requests the Secretary-General to transmit the review, prior to the fifty-third session of the Commission on Human Rights, to Governments, indigenous people and relevant international organizations for their comments;

8. Recognizes amongst the objectives of the Decade, as listed in the programme of activities, the consideration of the establishment of a permanent forum for indigenous people within the United Nations system;

9. Recalls its recommendation contained in resolution 50/157 of 21 December 1995 that the Commission on Human Rights, drawing on the results of the workshop on the possible establishment of a permanent forum for indigenous people within the United Nations system, held at Copenhagen from 26 to 28 June 1995,[6] and the Secretary-General's review, consider the convening of a second workshop;

10. Recommends in the light of the review that efforts be made to ensure that relevant United Nations organs, organizations and bodies take part in any further consultations on the issue, and welcomes the offer of the Government of Chile to host a second workshop on the possible establishment of a permanent forum for indigenous people within the United Nations system;

11. Emphasizes the important role of international cooperation in promoting the goals and activities of the Decade and the rights, well-being and sustainable development of indigenous people;

12. Reaffirms the importance of strengthening the human and institutional capacity of indigenous people to develop their own solutions to their problems and, for these purposes, its recommendation that the United Nations University consider the possibility of sponsoring, in each region, one or more institutions of higher education as centres of excellence and the diffusion of expertise, and invites the Commission on Human Rights to recommend appropriate means of implementation;

13. Emphasizes the importance of action at the national level for the implementation of the goals and activities of the Decade;

14. Encourages Governments to support the Decade by:

(a) Contributing to the United Nations Trust Fund for the Decade;

(b) Preparing relevant programmes, plans and reports in relation to the Decade, in consultation with indigenous people;

(c) Seeking means, in consultation with indigenous people, of giving indigenous people greater responsibility for their own affairs and an effective voice in decisions on matters that affect them;

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[5] A/51/493.

[6] E/CN.4/Sub.2/AC.4/1995/7 and Add.1-3.

(d) Establishing national committees or other mechanisms involving indigenous people to ensure that the objectives and activities of the Decade are planned and implemented on the basis of full partnership with indigenous people;

15. Also encourages Governments and other donors to contribute to the United Nations Voluntary Fund for Indigenous Populations in order to assist indigenous representatives in participating in the Working Group on Indigenous Populations of the Subcommission on Prevention of Discrimination and Protection of Minorities and the open-ended inter-sessional working group of the Commission on Human Rights charged with elaborating a draft declaration on the rights of indigenous people;

16. Appeals to Governments and intergovernmental and non-governmental organizations to support the Decade by identifying resources for activities designed to implement the goals of the Decade, in cooperation with indigenous people;

17. Invites the United Nations financial and developmental institutions, operational programmes and specialized agencies, in accordance with the existing procedures of their governing bodies:

(a) To give increased priority and resources to improving the conditions of indigenous people, with particular emphasis on the needs of those people in developing countries, including by preparation of specific programmes of action for the implementation of the goals of the Decade, within their areas of competence;

(b) To launch special projects through appropriate channels and in collaboration with indigenous people for strengthening their community-level initiatives and to facilitate the exchange of information and expertise amongst indigenous people and other relevant experts;

(c) To designate focal points for coordination with the Centre for Human Rights of the Secretariat of activities related to the Decade;

18. Recommends that the Secretary-General ensure coordinated follow-up to the recommendations concerning indigenous people of relevant world conferences, namely, the World Conference on Human Rights, held at Vienna from 14 to 25 June 1993, the United Nations Conference on Environment and Development, held at Rio de Janiero, Brazil, from 3 to 14 June 1992, the International Conference on Population and Development, held at Cairo from 5 to 13 September 1994, the Fourth World Conference on Women, held at Beijing from 4 to 15 September 1995, and the World Summit for Social Development, held at Copenhagen from 6 to 12 March 1995;

19. Requests the United Nations High Commissioner for Human Rights, when developing programmes within the framework of the United Nations Human Rights Education Decade, to give due regard to the dissemination of information on the situation, cultures, languages, rights and aspirations of indigenous people;

20. Encourages Governments to consider contributing, as appropriate, to the Fund for the Development of Indigenous Peoples in Latin America and the Caribbean, in support of the achievement of the goals of the Decade;

21. Decides to include in the provisional agenda of its fifty-second session the item entitled "Programme of activities of the International Decade of the World's Indigenous People".

82nd plenary meeting
12 December 1996

UNITED NATIONS **A**

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25 February 1997

Fifty-first session
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RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Third Committee (A/51/617)]

51/79. Measures to combat contemporary forms of racism, racial discrimination, xenophobia and related intolerance

The General Assembly,

Recalling its resolution 50/135 of 21 December 1995 and Commission on Human Rights resolution 1996/21 of 19 April 1996,[1]

Bearing in mind the outcome of the World Conference on Human Rights, held at Vienna from 14 to 25 June 1993, and, in particular, the attention given in the Vienna Declaration and Programme of Action[2] to the elimination of racism, racial discrimination, xenophobia and other forms of intolerance,

Aware that racism, being one of the exclusionist phenomena plaguing many societies, requires resolute action and cooperation for its eradication,

Having examined the report of the Special Rapporteur of the Commission on Human Rights on contemporary forms of racism, racial discrimination, xenophobia and related intolerance,[3] including his conclusions and recommendations,

Deeply concerned that, despite continuing efforts, racism, racial discrimination, xenophobia and related intolerance, as well as acts of violence, continue to persist and even grow in magnitude, incessantly adopting new forms, including tendencies to establish policies based on racial, religious, ethnic, cultural and national superiority or exclusivity,

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[1] See Official Records of the Economic and Social Council, 1996, Supplement No. 3 (E/1996/23), chap. II, sect. A.

[2] A/CONF.157/24 (Part I), chap. III.

[3] A/51/301, annex.

Conscious of the fundamental difference between, on the one hand, racism and racial discrimination as governmental policy or resulting from official doctrines of racial superiority or exclusivity and, on the other hand, other manifestations of racism, racial discrimination, xenophobia and related intolerance which are increasingly visible in segments of many societies and perpetrated by individuals or groups, some of which are directed against migrant workers and members of their families,

Taking note of the final report on freedom of opinion and expression submitted to the Subcommission on Prevention of Discrimination and Protection of Minorities at its forty-fourth session by the Special Rapporteurs Mr. Louis Joinet and Mr. Danilo Turk, in which the Special Rapporteurs concluded that, under international law, racism is not an opinion but an offence,[4]

Noting that the Committee on the Elimination of Racial Discrimination, in its general recommendation XV (42) of 17 March 1993[5] on article 4 of the International Convention on the Elimination of All Forms of Racial Discrimination, held that the prohibition of the dissemination of all ideas based upon racial superiority or racial hatred was compatible with the right to freedom of opinion and expression as outlined in article 19 of the Universal Declaration of Human Rights[6] and in article 5 of the International Convention on the Elimination of All Forms of Racial Discrimination,[7]

Conscious that impunity for crimes motivated by racist and xenophobic attitudes plays a role in weakening the rule of law and tends to encourage the recurrence of such crimes,

Underlining the importance of creating conditions that foster greater harmony and tolerance within societies,

Regretting that the Special Rapporteur has continued to encounter difficulties in his efforts to fulfil his mandate, owing to the lack of necessary resources,

1. Takes note of the report of the Special Rapporteur of the Commission on Human Rights on contemporary forms of racism, racial discrimination, xenophobia and related intolerance;[3]

2. Requests the Special Rapporteur to continue his exchange of views with Member States, relevant mechanisms, related United Nations organs and specialized agencies in order to further their effectiveness and mutual cooperation;

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[4] E/CN.4/Sub.2/1992/9 and Add.1.

[5] See Official Records of the General Assembly, Forty-eighth Session, Supplement No. 18 (A/48/18), chap. VIII, sect. B.

[6] Resolution 217 A (III).

[7] Resolution 2106 A (XX), annex.

3. Takes note of the recommendation of the Special Rapporteur to convene, without further delay, a world conference on racism, racial discrimination, xenophobia and related intolerance and to include the question of immigration and xenophobia on its agenda;[8]

4. Expresses its profound concern at and unequivocal condemnation of all forms of racism and all racist violence, including related acts of random and indiscriminate violence;

5. Expresses its deep concern at and condemnation of manifestations of racism, racial discrimination, xenophobia and related intolerance against migrant workers and members of their families and other vulnerable groups in many societies;

6. Encourages all States, in accordance with the conclusions and recommendations of the Special Rapporteur in his report, to include in their educational curricula and social programmes, at all levels as appropriate, knowledge, tolerance and respect for foreign cultures, peoples and countries;

7. Encourages the efforts of Governments to take measures aimed at the eradication of all forms of racism, racial discrimination, xenophobia and related intolerance;

8. Categorically condemns any role played by print, audio-visual or electronic media in inciting acts of violence motivated by racial hatred;

9. Recognizes that Governments should implement and enforce legislation to prevent acts of racism and racial discrimination;

10. Calls upon all Governments and intergovernmental organizations, with the assistance of non-governmental organizations, as appropriate, to continue to cooperate with and to supply relevant information to the Special Rapporteur;

11. Commends non-governmental organizations for their action against racism and racial discrimination and for their continuous support and assistance to the victims of racism and racial discrimination;

12. Urges all Governments to cooperate fully with the Special Rapporteur, with a view to enabling him to fulfil his mandate;

13. Once again requests the Secretary-General to provide, without any further delay, the Special Rapporteur, as in the case of other Special Rapporteurs, with all the necessary human and financial assistance to enable him to carry out his mandate efficiently, effectively and expeditiously and to submit, in a timely manner, an interim report on this question to the General Assembly at its fifty-second session.

82nd plenary meeting
12 December 1996

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[8] See A/51/301, para. 57.

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RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Third Committee (A/51/617)]

51/80. International Convention on the Elimination of All Forms of Racial Discrimination

The General Assembly,

Recalling its previous resolutions concerning the reports of the Committee on the Elimination of Racial Discrimination and its resolutions on the status of the International Convention on the Elimination of All Forms of Racial Discrimination,[1]

Reiterating the importance of the Convention, which is one of the most widely accepted human rights instruments adopted under the auspices of the United Nations,

Reiterating once again the need to intensify the struggle for the elimination of all forms of racism and racial discrimination throughout the world, especially its most brutal forms,

Aware of the importance of the contributions of the Committee to the efforts of the United Nations to combat racism and all other forms of discrimination based on race, colour, descent or national or ethnic origin,

Emphasizing the obligation of all States parties to the Convention to take legislative, judicial and other measures to secure full implementation of the provisions of the Convention,

[1] Resolution 2106 A (XX), annex.

Expressing its satisfaction at the entry into force on 3 December 1982 of the competence of the Committee to receive and consider communications from individuals or groups of individuals under article 14 of the Convention,

Bearing in mind the Vienna Declaration and Programme of Action, adopted by the World Conference on Human Rights on 25 June 1993,[2] in particular section II. B. relating to equality, dignity and tolerance, and General Assembly resolution 50/201 of 22 December 1995, in particular paragraph 9 thereof,

Recalling its resolution 47/111 of 16 December 1992, in which it welcomed the decision, taken on 15 January 1992 at the Fourteenth Meeting of States Parties to the International Convention on the Elimination of All Forms of Racial Discrimination, to amend paragraph 6 of article 8 of the Convention and to add a new paragraph, as paragraph 7 of article 8, with a view to providing for the financing of the Committee from the regular budget of the United Nations, and concerned that an amendment to the Convention has not yet entered into force,

Welcoming efforts of the Secretary-General to ensure interim financial arrangements for the financing of the expenses incurred by the Committee,

Recalling the provisions of paragraph 4 of article 10 of the Convention regarding the location of the meetings of the Committee,

Stressing the importance of enabling the Committee to function smoothly and to have all necessary facilities for the effective performance of its functions under the Convention,

I

Report of the Committee on the Elimination of Racial Discrimination

1. Takes note with appreciation of the report of the Committee on the Elimination of Racial Discrimination on the work of its forty-eighth and forty-ninth sessions;[3]

2. Commends the Committee for its work with regard to the implementation of the International Convention on the Elimination of All Forms of Racial Discrimination;

3. Calls upon States parties to fulfil their obligation, under paragraph 1 of article 9 of the Convention, to submit in due time their periodic reports on measures taken to implement the Convention;

4. Commends the Committee on its working methods, including its procedure for reviewing the implementation of the Convention in States whose initial and periodic reports are overdue and the formulating of concluding observations on reports of States parties to the Convention;

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[2] A/CONF.157/24 (Part I), chap. III.

[3] Official Records of the General Assembly, Fifty-first Session, Supplement No. 18 (A/51/18).

5. Commends the Committee for its contribution to the prevention of racial discrimination, including early warning measures and urgent procedures, and welcomes its relevant action thereon;

6. Encourages the Committee to contribute fully to the implementation of the Third Decade to Combat Racism and Racial Discrimination and its revised Programme of Action,[4] including by the continued collaboration between the Committee and the Subcommission on Prevention of Discrimination and Protection of Minorities;

7. Welcomes the cooperation and exchange of information between the Committee and relevant structures and mechanisms of the United Nations, including the United Nations High Commissioner for Human Rights, as well as the process of establishing liaisons with other international organizations;

II

Financial situation of the Committee on the Elimination of Racial Discrimination

8. Takes note of the report of the Secretary-General on the financial situation of the Committee on the Elimination of Racial Discrimination;[5]

9. Expresses its profound concern at the fact that a number of States parties to the International Convention on the Elimination of All Forms of Racial Discrimination have still not fulfilled their financial obligations, as shown in the report of the Secretary-General, and strongly appeals to all States parties which are in arrears to fulfil their outstanding financial obligations under paragraph 6 of article 8 of the Convention;

10. Urges States parties to accelerate their domestic ratification procedures with regard to the amendment to the Convention regarding the financing of the Committee and expeditiously to notify the Secretary-General in writing of their agreement to the amendment, as decided upon at the Fourteenth Meeting of States Parties to the International Convention on the Elimination of All Forms of Racial Discrimination on 15 January 1992, endorsed by the General Assembly in its resolution 47/111 of 16 December 1992 and further reiterated at the Sixteenth Meeting of States Parties on 16 January 1996;

11. Requests the Secretary-General to continue to ensure adequate financial arrangements and appropriate means to ensure the functioning of the Committee;

12. Requests the Secretary-General to invite those States parties that are in arrears to pay the amounts in arrears and to report thereon to the General Assembly at its fifty-second session;

13. Decides to consider at its fifty-second session, under the item entitled "Elimination of racism and racial discrimination", the report of the

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[4] Resolution 49/146, annex.

[5] A/51/430.

Secretary-General on the financial situation of the Committee and the report of the Committee;

III

Status of the International Convention on the Elimination of All Forms of Racial Discrimination

14. Takes note of the report of the Secretary-General on the status of the International Convention on the Elimination of All Forms of Racial Discrimination;[6]

15. Expresses its satisfaction at the number of States that have ratified the Convention or acceded thereto;

16. Reaffirms once again its conviction that ratification of or accession to the Convention on a universal basis and implementation of its provisions are necessary for the realization of the objectives of the Third Decade to Combat Racism and Racial Discrimination and for action beyond the Decade;

17. Requests those States that have not yet become parties to the Convention to ratify it or accede thereto;

18. Encourages States to limit the extent of any reservation they lodge to the Convention and to formulate any reservation as precisely and as narrowly as possible while ensuring that no reservation is incompatible with the object and purpose of the Convention or otherwise contrary to international law;

19. Requests the States parties to the Convention that have not yet done so to consider the possibility of making the declaration provided for in article 14 of the Convention;

20. Requests the Secretary-General to submit to the General Assembly at its fifty-third session a report concerning the status of the Convention, in accordance with resolution 2106 A (XX) of 21 December 1965.

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[6] A/51/435.